



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 12-1031
Released: June 28, 2012

**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU PROVIDES INFORMATION
CONCERNING THE EARLY TERMINATION OF THE 700 MHZ PUBLIC SAFETY
BROADBAND LONG TERM DE FACTO TRANSFER LEASE HELD BY THE CITY OF MESA,
ARIZONA**

PS Dockets No. 06-229; 12-94

By this public notice,¹ the Public Safety and Homeland Security Bureau (Bureau) provides information concerning the early termination by the City of Mesa, Arizona (Mesa) of a long term *de facto* transfer lease agreement entered into between Mesa and the Public Safety Spectrum Trust (PSST).² The lease authorizes Mesa to pursue deployment and operation of a public safety broadband network in the 700 MHz public safety broadband spectrum (763-768/793-798 MHz), which is licensed on a nationwide basis to the PSST.³ In a May 24, 2012 letter addressed to Harlin McEwen, Chairman of the PSST, Mesa provided notice of its decision to terminate the lease agreement.⁴ On May 29, 2012, the PSST filed notice of the lease's early termination, including a copy of Mesa's letter, in PS Dockets 06-229 and 12-94.⁵ The PSST's filing states that the lease termination became effective June 23, 2012, *i.e.*, thirty days following its and the Bureau's receipt of Mesa's May 24 letter.⁶

For further information about this Public Notice, please contact Erika E. Olsen, Senior Legal Counsel, Public Safety and Homeland Security Bureau, at (202) 418-2868 or erika.olsen@fcc.gov.

-FCC-

¹ This public notice is issued pursuant to Section 1.9030(g)(4) of the Commission rules. *See* 47 C.F.R. § 1.9030(g)(4).

² *See* Public Safety Spectrum Trust Filing, PS Docket 06-229 (filed Aug. 6, 2010) (Mesa Lease Agreement). Mesa entered the lease "as administrative manager of the TOPAZ Regional Wireless Collective." *See id.*

³ *See* Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, 25 FCC Rcd 5145 (2010) (*Waiver Order*) (granting "the City of Mesa, AZ and the TOPAZ Regional Wireless Collective" a waiver to pursue deployment in the public safety broadband spectrum under a lease from the PSST); *see also* Public Safety and Homeland Security Bureau Approves Long Term De Facto Transfer Spectrum Lease Agreements Filed by Conditional Waiver Recipients to Establish 700 MHz Interoperable Public Safety Wireless Broadband Networks, 25 FCC Rcd 12673 (PSHSB 2010) (approving Mesa's lease agreement).

⁴ *See* Public Safety Spectrum Trust Filing, PS Docket 06-229, PS Docket 12-94 at 2 (filed May 29, 2012) (Mesa Lease Termination Notice). Mesa provided courtesy copies of the letter by email to David S. Turetsky, Chief of the Bureau, and Jennifer A. Manner, Deputy Chief.

⁵ *See id.*

⁶ *See id.* at 1. *See also* Mesa Lease Agreement at 3 (providing that "Lessee may terminate this Agreement at the Lessee's option, upon 30-days written notice to the PSST and the Bureau").